

**CERTIFICATE OF MAILING (under 37 C.F.R. § 1.10 if checked)**

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on the date inserted below and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

Lynette Eliason  
Typed name of person mailing transmittal

March 21, 2000  
Date of Deposit

Lynette Eliason  
Signature of person mailing transmittal

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Examiner: To be assigned Group Art Unit No.: 1643  
Applicant(s): Vogels et al. Filing date: November 19, 1999  
Serial No.: 09/444,284 For (title): GENE DELIVERY VECTORS PROVIDED WITH A  
TISSUE TROPISM FOR SMOOTH MUSCLE CELLS,  
AND/OR ENDOTHELIAL CELLS

**COMMUNICATION TRANSMITTAL**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Enclosed for filing in connection with the above-identified patent application, and submitted in the order listed, are:

- ☒ Postcard receipt acknowledgment (attached to the front of this transmittal).  
☒ Duplicate copy of this transmittal sheet in the event that additional filing fees are required under 37 C.F.R. § 1.16. Any such fees may be charged to deposit account no. 20-1469.  
☐ Check no. in the amount of \$ for the presentation of extra claims as calculated in the remarks section below.  
☐ Preliminary amendment.  
☐ Amendment or other communication in response to the non-final office action mailed .  
☐ Amendment or other communication under 37 C.F.R. § 1.116 in response to the final office action mailed .  
☒ Petition for Extension of Time in duplicate with check no. 13448 in the amount of \$55.00.  
☒ Verified statement(s) to establish small entity status under 37 C.F.R. § 1.9 and 37 C.F.R. § 1.27 signed by (or on behalf of) Introgene B.V.  
☐ Information disclosure statement and information disclosure citation form PTO-1449 with copies of listed documents.  
☒ Notice to File Missing Parts; Form PTO-1533; Declaration for patent application (with power of attorney) form; Check No. 13447 in the amount of \$65.00 for surcharge.

**Remarks:**

- ☐ An amendment has been made involving one or more claims in the application. The calculation to determine whether any additional fee is due is presented below.

	1	2	3		\$EXTRA
Total claims	-	=	x 18.00	=	
Indep. claims	-	=	x 78.00	=	
First presentation of a multiple dep. claim (+260.00)					
<b>SUBTOTAL</b>					
Reduction for small entity - 50% of subtotal*					
<b>TOTAL ADDITIONAL FEE (subtotal minus any reduction)</b>					

\*Verified statement(s) must be attached to support this reduction if small entity status has not been previously established.

- 1 Claims remaining after amendment.  
2 Highest number of claims previously paid for. Not less than 20 for total claims and 3 for independent claims.  
3 Difference between claims remaining and highest number previously paid for. If less than zero, enter "0."

- ☒ The commissioner is authorized to charge any additional fees required but not submitted with any document or request requiring fee payment under 37 C.F.R. §§ 1.16 and 1.17 to deposit account no. 20-1469 during the entire pendency of this application.

Respectfully submitted,

Allen C. Turner

Allen C. Turner  
Reg. No. 33,041  
TRASK, BRITT & ROSSA  
P.O. Box 2550  
Salt Lake City, UT 84110-2550  
(801) 532-1922

Date: March 21, 2000  
Enclosures: As identified above



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:**

Vogels et al.

**Serial No.:** 09/444,284

**Filed:** November 19, 1999

**For:** GENE DELIVERY VECTORS  
PROVIDED WITH A TISSUE TROPISM  
FOR SMOOTH MUSCLE CELLS,  
AND/OR ENDOTHELIAL CELLS

**Examiner:** To be assigned

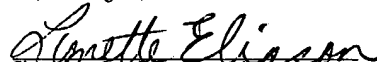
**Group Art Unit:** 1643

**Attorney Docket No.:** 4231US

**CERTIFICATE OF MAILING**

I hereby certify that this paper or fee along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail (under 37 C.F.R. § 1.8(a)) on the date of deposit shown below with sufficient postage and in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

3-21-2000  
Date of Deposit

  
Signature of registered practitioner or other person having reasonable basis to expect mailing to occur on date of deposit shown pursuant to 37 C.F.R. § 1.8(a)(1)(ii)

Lynette Eliason  
Typed/printed name of person whose signature is contained above

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Attention: Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In connection with the above-referenced patent application, enclosed is a copy of the Notice to File Missing Parts of Application (Form PTO-1533), along with a signed Declaration and Power of Attorney form; Verified Statement Claiming Small Entity Status; and Check No. 13447 in the amount of \$65.00 for the surcharge.

Applicant includes herewith a Petition for Extension of Time for a one month extension of time. The Petition is accompanied by a check to cover the cost of this one month extension.

Checks in the amounts of \$65.00 and \$55.00 are enclosed in payment of all required fees. If the amounts of the checks are insufficient, please debit Deposit Account No. 20-1469 for the remainder of the fee. If the amount is in excess of that required, please credit that deposit account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Allen C. Turner', with a long horizontal stroke extending to the right.

Allen C. Turner  
Registration No. 33,041  
Attorney for Applicants  
TRASK, BRITT & ROSSA  
P. O. Box 2550  
Salt Lake City, Utah 84110-2550  
Telephone: (801) 532-1922

Date: March 21, 2000

ACT/le

Enclosures: Copy of Notice To File Missing Parts of Application  
Declaration For Patent Application (With Power of Attorney) form  
Verified Statement Claiming Small Entity Status  
Check No. 13447 in the amount of \$65.00  
Petition for Extension of Time  
Check No. 13448 in the amount of \$55.00

N:\2183\4231\4231.MP 03/21/00



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/444,284 11/19/99 VOGELS 423105

0222/0104

ALLEN C TURNER  
TRASK BRITT & ROSSA  
P O BOX 2500  
SALT LAKE CITY UT 84110

NOT ASSIGNED

1643

DATE MAILED:

01/04/00

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this **NOTICE** to avoid abandonment.

**If all required items on this form are filed within the period set above, the total amount owed by applicant as a**

☐ **small entity (statement filed)** ☐ **non-small entity is \$** 130.

☐ 1. The statutory basic filing fee is:

- ☐ missing.  
☐ insufficient.

Applicant must submit \$\_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$\_\_\_\_\_ for \_\_\_\_\_ total claims over 20.

\$\_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$\_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

☒ is missing or unsigned.

☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

EN...  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

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